CS/HB 1385 Work Group - Second Tier Issues

**1. Legal Reviews – General Counsel**

* Use of a MOU between OIGs and Offices of General Counsel to satisfy legal review needs (to comport with Quality Standards for Offices of Inspector General / Independence / D.2)
	+ Possible use of draft created by the CIG’s office (Deputy CIG Dawn Case)
	+ May need to include a confidentiality clause due to separation from agency (to comport with Quality Standards for Offices of Inspector General / Standards for Inspections, Evaluations, and Reviews / Confidentiality / A.)

**2. IG Retention – Cause vs. Just Cause**

* New class of at-will employee created? IG Landsberg to research issue and research whether “cause” and “just cause” used in the at-will employment context are synonymous.
* Cabinet and Governor and Cabinet notice of removal and presentation of fact/objections process may require further clarification.
* OIG controls and CIG oversight sufficient to provide assurance that failure to carry out duties, malfeasance, misfeasance, etc. does not occur.

**3. Complaint Intake**

* Handling of potential interagency Whistle-blower matters (complaints received by one agency and closed, but open as a WB case in another agency).
* Increased complaints and calls to CIG as central hub for IGs; referrals back to OIGs and management of such referrals, acknowledgements, assignments, and closures)

**4. Accreditation**

* Some offices are currently accredited while others are not
* Recognize that existing standards

**5. Law Enforcement Referrals**

* Ensure that standards exist now that comply with s. 20.055 and s. 112.3188, F.S. and move toward standardization later

**6. Law Enforcement Vesting Authority**

* How is vesting protected?
* Regarding completion of CJSTC 78 form for submittal to the CJSTC, should maintain position that the document be signed by the agency head in consultation with CIG and OIG.

**7. Technology Resources / Issues**

* Licenses, maintenance, etc.
* Sharing all electronic systems and information contained therein with the CIG

**8. Non-OIG Duties**

* Law enforcement, background screening, fair hearing, COOP, HIPAA, MPI, EEOC, single audit, etc.
* Should these duties remain in OIGs or be absorbed by the respective agency?

**9. Budget Issues**

* Salary and rate restrictions
* Travel allowances, restrictions, and approvals
* Training allowances, restrictions, and approvals
* General Expenses
* Submissions of LBRs to Agency head (and awareness/approval by the CIG)
* Instructions from OPB to agency heads on ensuring sufficient budget exists to provide necessary IG services?

**10. Keeping Agency Head and CIG Informed (Line 61)**

* Escalation Protocol for reporting of significant events to CIG and Agency head

**11. How Agency Head is Involved IG Hiring Process (Line 81)**

**12. Personnel Competence / Training**

* Accreditation requirements (40 hours per two years with 12 hours directly related)
* Prevention of OIG staff misconduct
* Promoting standards

**13. Agency Heads Directing OIG Audits or Investigations (Line 133)**

**14. Public Records**

* Inconsistencies in publishing reports online by OIGs

**15. OIG Response to the Agency Head Regarding Auditor General or OPPAGA Reports (Line 202)**

**16. Audit Plans Submitted to the CIG (Line 218)**

**17. Publishing of Final Annual Report (Line 224)**

**18. Reporting to Agency Head and CIG Complaints Involving OIG Staff Misconduct (Line 251)**